

U.S. PTO Customer No. 25280

Case# 5720

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REMARKS

Applicants have added new claims 49 and 50. Claim 49 is basically a combination of claim 1 and claim 47. Claim 50 is basically a combination of claim 41 and claim 48. Applicants respectfully submit that these claims are fully supported by the specification. Entry of these new claims is respectfully requested.

35 USC §112 Rejections:

5. Claims 47 and 48 were rejected under 35 USC Section 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner submits that claims 47 and 48 both recite additional ingredients to the compositions of claims 1 and 41, respectively, rendering the claims indefinite. Since claims 1 and 41 recite "consisting of" language with regards to the cleaning composition, additional ingredients may not be added in further dependent claims.

Applicants have cancelled claims 47 and 48. Thus, Applicants respectfully submit that this rejection is now moot.

35 USC §103 (a) Rejections:

7. Claims 1 and 47 were rejected under 35 USC §103 (a) as being unpatentable over Froehlich et al. (USPN 4,013,594).

The Examiner submits that Froehlich et al. teach methods of cleaning carpets where compositions comprising 30-90% particulate polymeric urea-formaldehyde having a particle size of 10-105 microns and a oil absorption value of no less than 90, and about 10-70% fluid, wherein the fluid is up to 100% water and the water contains sufficient surfactant to give a surface tension of less than 40 dynes per centimeter (col. 1, lines 40-52; col. 2, lines 40-50; col. 4, lines 1-4), and optionally dust suppressants (col. 3, lines 45-58) are applied to carpets. Froehlich et al. further teach methods of agitated into the carpet, dried and removed by vacuum cleaner (col. 5, lines 45-55).

The Examiner submits that Froehlich et al. does not teach air as a component of the composition. However, the Examiner contends that it would have been obvious to one of

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ordinary skill in the art at the time the invention was made that the compositions and methods of Froehlich et al. would encompass air at the claimed ranges because air would be trapped inside the water in bubble form and would also be incorporated during the agitation steps. Optimization of the concentration of air incorporated would only require routine skill in the art to provide a maximally clean carpet. One of ordinary skill in the art would expect the teachings of Froehlich to possess the claims air ranges absent unexpected results.

Applicants have cancelled claim 47. Thus, Applicants respectfully submit that this rejection is moot.

With regard to the rejection of claim 1:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art (MPEP § 2143.03). Applicants respectfully submit that Froehlich et al. fail to teach a method for cleaning a textile substrate and a system for cleaning a textile substrate as presently claimed.

More specifically, Froehlich et al. fail to teach a dispersion stabilizing agent selected from the group consisting of air, cellulosic polymers, starches, clay compounds, xanthan gums, polyacrylic acids and esters, polyacrylamide, polyvinyl alcohol and mixtures thereof, wherein said dispersion stabilizing agent is present in an amount sufficient to produce a stable or easily redispersed dispersion. To the contrary, since Froehlich et al. is directed to powdered cleaning compositions (Abstract), rather than liquid cleaning compositions as claimed by Applicants, one of ordinary skill in the art would not expect Froehlich et al. to teach or suggest a compound which results in a liquid cleaning composition that includes a dispersion stabilizing agent.

Additionally, Applicants respectfully submit that, contrary to the assertion made by the Examiner, Froehlich et al. fail to teach or suggest adding air to their powdered cleaning composition. In order to obtain a stable dispersion as taught and claimed by Applicants, significant amounts of air would need to be added to the cleaning composition of Froehlich. In doing so, one of ordinary skill in the art would find that the resulting cleaning composition of Froehlich would likely be a foamed cleaning composition. Such a foamed cleaning composition is in direct contrast to the teachings of Froehlich, since the purpose of Froehlich is to provide a powdered cleaning composition. Applicants further submit that, with regard to the teaching of any other dispersion stabilizing agents by Froehlich et al., there is none.

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Thus, since Froehlich et al. fail to teach every component of Applicants' claimed invention as set forth above, Applicants respectfully submit that this rejection is improper. Reconsideration and reversal is earnestly requested.

8. Claims 2, 8, 9 and 10 were rejected under 35 USC §103 (a) as being unpatentable over Froehlich et al. (USPN 4,013,594) as applied to the claims above and further in view of Roberts et al. (USPN 6,125,498).

The Examiner relies on Froehlich as described above. The Examiner submits that Froehlich does not teach carpet cleaning machines which are battery operated and relies on Roberts for such a teaching. More specifically, the Examiner submits that Roberts et al., in the analogous art of carpet and upholstery cleaning (col. 4, lines 33-35 and col. 9, lines 63-67), teach handheld carpet and upholstery cleaning machines which are battery operated (col. 3, lines 29-33), wherein the liquid cleaner is dispensed from a spray nozzle and applied by a squeegee or brush (col. 2, lines 1-6 and 33-50).

Thus, the Examiner contends that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the methods of Froehlich by adding the carpet/upholstery cleaning machine taught by Roberts because Roberts teaches the improved carpet cleaning benefits provided by hand held cleaning machines. One of ordinary skill in the art would have been motivated to combine the teaching of the references absent unexpected results.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art (MPEP § 2143.03). Applicants rely on the discussion presented above with regard to the deficiencies of Froehlich et al. Applicants further submit that Roberts et al. fail to provide for the deficiencies of Froehlich et al. More specifically, Roberts et al. fail to teach a liquid cleaning composition as claimed by Applicants which includes a dispersion stabilizing agent.

Accordingly, since the combination of references fails to teach the limitations as claimed by Applicants, e.g. see claim 1 which recites a composition that includes a dispersion stabilizing agent, and since the rejected claims each depend directly or indirectly from claim 1, Applicants respectfully submit that the obviousness rejection of claims 2, 8, 9 and 10 is improper and should not be maintained. Reconsideration and reversal is earnestly requested.

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9. Claims 3-6 were rejected under 35 USC §103 (a) as being unpatentable over Froehlich et al. (USPN 4,013,594) as applied to the claims above, and further in view of shoplet.com (<http://www.biochem.ucl.ac.uk/bsm/enzymes/ec3/ec01/ec0074/index.html>).

The Examiner relies upon Froehlich et al. as set forth above as the primary reference that teaches the cleaning composition of the present invention. The Examiner submits that Froehlich et al. does not teach one gallon containers with removable caps and synthetic applicators with tips for dispensing the compositions. However, the Examiner contends that shoplet.com teaches that carpet cleaners currently on the market, such as Resolve® Spot Magic®, are conventionally sold in aerosol cans with detachable caps, nozzles with openings, and canisters with a volume of less than 1 gallon (in this case 14 oz.). Thus, the Examiner submits that it would have been obvious to one of ordinary skill in the art to incorporate the cleaning solutions taught by Froehlich et al. into the canisters demonstrated by shoplet.com for dispensing since this is conventionally known in the art to be an effective method for packaging and dispensing of the composition onto carpets. One of ordinary skill in the art would have been motivated to combine the teachings of the references absent unexpected results.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art (MPEP § 2143.03). Applicants rely on the discussion presented above with regard to the deficiencies of Froehlich et al. More specifically, Froehlich et al. fail to teach a dispersion stabilizing agent. Applicants respectfully submit that the combination of references (i.e. the teachings of Froehlich and shoplet.com) fails to provide for this deficiency.

Thus, Applicants respectfully submit that the combination of Froehlich and shoplet.com fail to teach a method for cleaning a textile substrate and a system for cleaning a textile substrate as presently claimed. Accordingly, Applicants respectfully submit that this rejection is improper. Reconsideration and withdrawal is earnestly requested.

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10. Claims 7, 41-46 and 48 were rejected under 35 USC §103 (a) as being unpatentable over Froehlich et al. (USPN 4,013,594) as applied to the claims above, and further in view of shoplet.com (<http://www.biochem.ucl.ac.uk/bsm/enzymes/ec3/ec01/ec0074/index.html>) as applied to the claims above, and further in view of Hoxie (USPN 3,184,781).

The Examiner relies on Froehlich et al. and shoplet.com as set forth above. The Examiner submits that Froehlich et al. and shoplet.com fail to teach foam or bristle scrubbing mechanisms. Thus, the Examiner relies upon Hoxie, in the analogous art of upholstery shampooers (col. 2, lines 7-9) for a teaching of attachable heads for aerosol cans (col. 1, lines 23-25) which have bristles and sponge foams (col. 3, lines 6-73). Thus, the Examiner submits that it would have been obvious to one of ordinary skill in the art to incorporate the cleaning solutions taught by Froehlich et al. into the canisters demonstrated by shoplet.com for dispensing with the caps taught by Hoxie et al. for scrubbing since this is conventionally known in the art to be an effective method for packaging, dispensing and utilizing the composition to provide maximal cleaning benefits to carpets and upholstery. One of ordinary skill in the art would have been motivated to combine the teachings of the references absent unexpected results.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art (MPEP § 2143.03). Applicants respectfully submit that the combination of references fails to teach a method of cleaning a textile substrate and a system for cleaning textile substrates as presently claimed. Applicants rely on the discussion presented above with regard to the impropriety of the rejection based on the combination of Froehlich and shoplet.com. Applicants respectfully submit that the additional teachings provided by Hoxie fail to provide any additional motivation for combining the references and arriving at the invention recited in the instant claims.

Accordingly, since the cited art fails to teach the limitations as claimed by Applicants, e.g. a composition that includes a dispersion stabilizing agent, as recited by independent claims 1 and 41, and since rejected all of the other rejected claims each depend directly or indirectly from these claims, Applicants respectfully submit that the obviousness rejection of claims 7, 41-46 and 48 should not be maintained. Reconsideration and reversal is earnestly requested.

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Conclusion:

For the reasons set forth above, it is respectfully submitted that all claims now stand in condition for allowance.

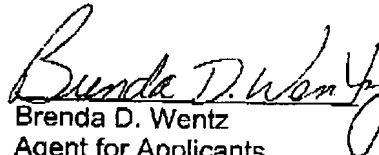
Should any issues remain after consideration of these Amendments and accompanying Remarks, the Examiner is invited and encouraged to telephone the undersigned in the hope that any such issue may be promptly and satisfactorily resolved.

In the event that there are additional fees associated with the submission of these papers (including extension of time fees), authorization is hereby provided to withdraw such fees from Deposit Account No. 04-0500.

Respectfully requested,

April 10, 2007

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